



state senator

# David Ford

2005 LEGISLATIVE UPDATE

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## BOOSTER SEAT LAW GOES INTO EFFECT JULY 1



Last year, the General Assembly passed House Enrolled Act 1098-2004, more commonly known as the Child Restraint Bill. This bill requires children under 8 years old to sit in child restraint systems that allow the vehicle's seatbelt to work properly. The new law goes into effect on July 1 of this year.

The National Highway Traffic Safety Administration reports that children between the ages of 4 and 7 who use child restraint systems are 59 percent less likely to be injured in a crash. Children ages 2 to 5 who are prematurely graduated to safety belts alone are four times more likely to suffer a serious head injury.

In 2002, use of child restraint systems hit record levels. Not coincidentally, the number of children age 7 and under injured in vehicular accidents dropped to an all-time low. The goal is to see those statistics continue to improve. And even though we will always see injuries and fatalities on our roads, child restraint laws are the next step to make driving and riding a little safer.

It is important that all parents, grandparents, aunts, uncles, babysitters, and others who transport children to be aware of this new law.

## INSIDE THIS ISSUE:

- Session Successes
- Rx for Indiana
- Biofuel Initiatives

— continued on page 3 —

## Job situation addressed; Indiana is open for business

This year, lawmakers faced the difficult task of pulling Indiana out of a fiscal crisis. While much of that was done in the crafting of the two-year budget, the only permanent way to ensure financial stability is by creating more jobs and putting more money in Hoosiers' pockets.

To foster this economic development, the General Assembly combined ideas from the governor with plans from both the Senate and the House of Representatives. These initiatives came in the form of Senate Enrolled Acts 1 and 496.

**The  
Legislature's  
aim is to put  
more dollars  
in the pockets  
of Hoosiers**

These two laws contain dozens of provisions that make the state more attractive to companies looking to relocate, existing businesses wishing to expand, and entrepreneurs looking for an incentive to start a business.

One of the most important ideas was a sales tax break for research and development equipment. This will encourage high-tech, innovative jobs that help to improve the state's well-being and reputation.

Following the governor's lead, the General Assembly also took particular interest in the motor racing industry. SEA 1 includes provisions that exempt professional motor racing parts from sales tax and adds "professional motor vehicle racing" to the list of businesses that qualify for the Venture Capital Investment Tax Credit. The measures also made other tax credits such as Hoosier Business Investment Tax Credits easier to qualify for.

In other bills, the General Assembly enabled communities to be "shovel-ready" for property development (HEA 1653), allowed farmers to switch to more lucrative operations (SEA 267), and streamlined the Indiana Economic Development Corporation, which will be responsible for recruiting outside business (HEA 1003).

The 2005 session of the General Assembly may be remembered as one of the most important and aggressive sessions ever for making Indiana open for business.

## Budget balances state's checkbook

The Indiana General Assembly has passed a balanced two-year state budget that holds the line on spending, eliminates the structural deficit, adds no new state taxes, provides \$4 billion in property tax replacement credits and adds \$112.4 million to K-12 education.

Senate Republicans voted to control state spending while boosting funding for K-12 education, scholarships for higher education and child protection. Medicaid funding is

held to a 5 percent increase. This is in contrast to the 10 percent growth experienced during the current biennium.

The passage of this budget is quite an accomplishment. To overcome a \$600 million structural deficit and end up with reserves – all without new state taxes – is no small feat.

## FACTS & FIGURES

### FROM THE 2005 LEGISLATIVE SESSION

The First Regular Session of the 114th General Assembly began on Organization Day, November 16, 2004, and adjourned April 29, 2005.

This budget year was known as the "long" session.

Senate bills introduced: 647  
Senate joint resolutions introduced: 10

Senate bills passed: 164  
Senate joint resolutions passed: 1

House bills introduced: 859  
House joint resolutions introduced: 18

House bills passed: 85  
House joint resolutions passed: 1

Percent of introduced bills that were sent to the governor: 17%

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Sens. Ford and J. Murray Clark visit during a break in action on the Senate floor

Drug program benefits seniors, uninsured

Since the beginning of Rx for Indiana in early March, more than 37,000 low-income Hoosiers have qualified for the free or reduced-price drugs.

There are many pharmaceutical patient assistance programs across the country, which last year provided more than 22 million prescriptions to Americans. The Rx for Indiana program was developed to build upon the success of other national programs, as it links patients with information about pharmaceutical assistance programs provided by companies and the state and federal government.

Rx for Indiana provides residents access to information about more than 275 public and private prescription assistance programs that provide more than 1,800 medications.

In order to take part in the program, Indiana residents must answer a few short questions to verify eligibility. The resident will then be informed of the pharmaceutical patient assistance programs for which he or she qualifies.

Rx for Indiana can save individuals thousands of dollars per year. Before the establishment of Rx for Indiana, only about one in 10 Hoosiers were taking advantage of the reduced cost medicines available. We hope that with the creation of this program, many more Hoosiers will be able to access the medications they need.

To apply for the Rx for Indiana program, visit www.rxforindiana.com or call toll-free 1-877-793-0765. The Web site is available in Spanish and English, and Spanish-speaking telephone operators are available.

Much Accomplished in 2005

A variety of issues didn't make big headlines, but they may make a big impact on Hoosiers

Many feel daylight-saving time and the expansion of the Indianapolis convention center and new stadium dominated the 2005 legislative session, but the General Assembly passed many initiatives that will be beneficial to citizens across Indiana. We addressed issues such as election reform, National Guard benefits, child protection laws, agriculture, and improving health care services. The following are just a few examples of this year's accomplishments:

Elections — We worked hard this session to give voters confidence that our elections will be fair, open and honest. A bill passed that tightens restrictions on obtaining an absentee ballot. The bill does not make registering to vote more difficult; it simply creates new safeguards to protect the rights of honest absentee voters. We also passed legislation that will require voters to show a picture ID issued by the state or federal government (such as a driver's license or state ID card). Without proof of identification, it is easy for fraudulent voters to use different names at different times on Election Day. Considering recent nationwide voting problems, and some within Indiana, this is a common-sense step to help prevent fraud.

National Guard Benefits — Our National Guard members are serving overseas in Bosnia, Kosovo, Afghanistan, Iraq and several other countries. Because of the huge sacrifice these men and women are making on our behalf, we passed a measure that exempts spouses and children of Guard members killed in the line of duty from paying tuition at any state educational institution. This bill was authored to help support those dependents and spouses who endure financial difficulties after losing a loved one in active duty.

Child Protection — The General Assembly also passed legislation aimed at protecting Hoosier children. Two bills in

particular will enhance the effectiveness of our sex offender and violent offender registry. The bills add the possession of child pornography to the 14 existing offenses and also allow neighborhood associations to receive the semi-annual updates of the list. We also created the Department of Child Services to handle child support, child protection, adoption and foster services. Our children are our most precious commodity, and should receive special attention from the state. This new department will focus only on children and their families.

Agriculture — Indiana is one of the nation's top agriculture states. This session, we created the Indiana Department of Agriculture and consolidated duties that were once scattered across numerous agencies. The move costs Indiana taxpayers no additional money. In fact, we hope it actually saves money by merging the 10 separate agriculture boards and commissions into one large department. We also passed legislation that will encourage the use of our soybean and corn crops in the production of alternative fuels.

Health Care — We passed a bill that creates a panel of experts to develop a medical information system for Indiana. A medical information system would connect physicians' offices, pharmacies, laboratories, imaging centers, hospitals and other medical facilities. If a person became ill in another part of the state, a physician with proper authorization could have immediate access to the person's medications, medical history and lab and X-ray reports. That patient then would receive better, more personalized care. The panel must create a plan that will maintain privacy.

This year's session has been an eventful one, full of activity. Although the session's end has come, my job as your senator is never finished and I am available year-round to assist you.

Through biofuel initiatives, Assembly encourages CLEAN ENERGY

Two significant clean energy initiatives have passed the Indiana General Assembly and have become law.

House Enrolled Act 1032 requires state government to fuel state vehicles with agriculture-based fuels, such as biodiesel, ethanol, or gasohol, whenever possible. Biodiesel is a clean burning alternative fuel, produced from domestic, renewable resources, such as soybeans. Biodiesel contains no petroleum, but it can be blended at any level with petroleum diesel. This helps improve air quality and our economy by taking advantage of resources from right here in Indiana. This bill was signed into law by the governor on April 1.

Senate Enrolled Act 378 will expand the tax incentives passed during the 2003 legislative session on the production and use of Indiana soy diesel and ethanol fuels and provide additional incentives for clean coal gasification plants. This bill covers all facets of processing - from soybean crushers to oil refineries to the service stations that will supply the fuel - while growing the demand for agricultural commodities and increasing farmers' profits. Ethanol production plants cost around \$79 million to build and don't receive these tax breaks until they are making a profit in our state.

SEA 378 provides an additional \$5 million for bio-diesel production, which will be divided into \$1 million sections for the refineries, wholesale, blenders, and service stations that carry the fuel. The bill also expands the tax credit from \$10 million to \$20 million for large ethanol and soy diesel production plants. This will provide a great opportunity for both soy diesel and ethanol plants.



Sen. Ford looks on as Ball State University president Dr. Jo Ann Gora addresses the Senate. The General Assembly gave BSU \$48 million this year to replace its boiler plant and cut down on harmful emissions.

Additionally, SEA 378 provides tax credits for companies who build and operate integrated coal gasification power plants in Indiana. Coal gasification is the process of using Indiana's high sulfur-coal and transforming it into clean burning energy.

Our state's use of coal has not kept up with our production. Since 1987, coal consumption in Indiana has increased by 30 percent, while Indiana's coal production has increased by only 3 percent. Currently, over half of the coal used to generate electricity is imported into Indiana. If Indiana coal were to replace imported coal, it would add \$1.35 billion and 18,000 jobs to our state's economy.

With rising gas prices and pollution issues, this alternative source of energy has great potential. This fuel is cheaper and better for our environment. Also, the economic possibilities of using and producing alternative energy here in Indiana are fantastic.

These measures are great achievements for our environment and our economy. I hope that we can take full advantage of these alternative sources of energy and make Indiana a leader on this issue.

Balanced Budget — continued from page 1 —

Education funding remained a top priority of the Senate Republicans. The school funding formula is driven by an innovative approach that funds children as individuals instead of simply funding corporations. Special factors, such as poverty, single parent families and free lunches, are taken into consideration when determining the level of funding that is to follow a child.

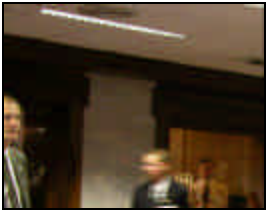
The General Assembly continually has increased education spending in past years, even when other states were cutting education. In 2003, Indiana had the highest increase of K-12 funding in the country - during a national recession. The new budget gives more money and funding options to Indiana public schools than has ever been given in the history of the state.

The \$4 billion in property tax replacement credits (PTRC) is an

effort to provide relief to homeowners and other property taxpayers. Local governments and schools keep 99.9 percent of all property taxes, which are levied by local governments and schools. Half of all revenue raised by the state sales tax is used for PTRC, as is 14 percent of the income tax and nearly a half billion dollars every year from the wagering tax.

Earlier in the session, Senate Republicans voted to pass a measure to reform the property tax system by giving local governments an option to shift the property tax burden to an income tax in order to be more fair and equitable to Hoosiers. The initiative was successful in the Senate but failed to receive consideration in the House of Representatives when the bill met substantial opposition from local government officials.

The new budget is a prescription for positive change in Indiana. It is the first balanced budget crafted by legislators in 10 years. I strongly support efforts to keep spending down while providing adequate funding for essential services.



Sen. Ford consults with Tax and Fiscal Policy Chairman, Sen. Luke Kenley

SEA 76 — This law requires a health care provider to provide a pregnant woman with information regarding the availability of ultrasound imaging and auscultation of heart tones of a fetus before performing an abortion. PASSED. My vote: YES

SEA 12 — The "Code Adam" program sets a protocol for lost or missing children in certain state buildings. This initiative, on a smaller scale, is similar to the popular and successful "Amber Alert" program. PASSED. My vote: YES

HEA 1501 — This bill establishes the position of inspector general, an employee of the governor, who works to weed out corruption. Years of scandal in previous administrations cost the state at least \$25 million; we may never know the full extent of misspending. PASSED. My vote: YES

SEA 223 — This bill allows a person to have his or her blood type printed on a license, permit, or identification card. This could help in emergency situations, as health care providers would be able to determine a person's blood type without having to run tests. PASSED. My vote: YES

SEA 56 — This bill creates the Department of Homeland Security (DHS) in order to coordinate the state's safety measures under a central entity. Currently, nine different entities deal with homeland security. PASSED. My vote: YES

SEA 15 — This bill requires that absentee voters receive a "voter's bill of rights" that will provide them with the information they need to properly cast their vote. It also establishes penalties for certain election fraud offenses. PASSED. My vote: YES